

**Wichita Police Department Policy Manual****Approved by:****Policy 531- Animal Status and Euthanasia**

Page 1 of 2

Maintained by:
Information Services**Issue/Rev.:** R 07-23-2012**FELONY CRUELTY TO ANIMALS**

- 531.01 Under K.S.A. 21-4310(a) (1) and amendments thereto, Felony Cruelty to animals is defined as intentionally and
R maliciously killing, injuring, maiming, torturing, burning or mutilating any animal.

A. A police detective will investigate all felony cruelty allegations.

INHUMANE TREATMENT

- 531.02 6.04.010 of City Code defines Inhumane Treatment as any treatment to any animal which deprives the animal of
R necessary sustenance, including food, water and protection from the weather; any treatment such as overloading, overworking, tormenting; beating, mutilating, teasing or other abnormal treatment; or causing or allowing the animal to fight with any other animal.

A. Animal Control will investigate all reports of non-felony inhumane treatment.

1. If violations exist and the animal is not in distress, Animal Control may instruct or leave written notice for the owner or keeper at the location, making them aware of the report and the conditions observed. Animal Control will give instructions either verbally or via written notice to owners present at the time of the inspection to correct violations. Recheck dates for compliance will be implemented on a case by case basis commensurate with the severity of the violation.
 2. If the owner or keeper of an animal is absent, a message will be left for the person to contact Animal Control concerning the findings of the report.
 3. If the owner or keeper of the animal has not responded within a reasonable time commensurate with the violation, the animal may be seized, utilizing a warrant.
- B. Upon seizure of an animal, a police officer shall be requested to be present with Animal Control to witness the seizure of such animal.
1. If the animal is in distress, is in a life threatening situation, poses an immediate threat to the public, or other exigent circumstances exist, a police officer will be called to witness the seizure of the animal and the animal will be impounded immediately.
 2. The owner or keeper will not be allowed to redeem an animal until conditions that motivated the impoundment have been corrected.
 3. Animal Control may be required to inspect the location and approve redemption of the animal to ensure the situation has been corrected satisfactorily and the animal's life is no longer in danger.
- C. If the animal needs veterinarian care, the owner must make arrangements with a veterinarian. Animal Control reserves the right to require owners to provide veterinarian care within a specific time frame deemed appropriate.
1. The owner will be responsible for any and all fees including but not limited to boarding fees, vaccinations, impoundment charges, and veterinarian fees if veterinarian care is needed.
 2. If the owner or keeper of the animal feels that they can no longer adequately care for the animal, they will be given the opportunity to relinquish custody of the animal to Animal Control.
- D. Legal action may be taken against the owner or keeper of any animal that fails to comply with and act upon the lawful and reasonable requests of the Animal Control representative to improve the condition of the animal

ANIMALS RUNNING AT LARGE AND ABANDONED CATS:

- 531.03 6.04.010 defines Running at Large as any animal with the exception of a cat that is not confined within a fenced
R enclosure, an operating electronic fencing system which is clearly and prominently marked, or shelter capable of preventing the animal from exiting at will, unless under the control of a person, either by lead, cord, rope, or chain.

6.04.010(a) defines an abandoned cat as a cat which has returned to the feral state or which does not have a collar.

- A. Animals seized for running at large or picked up as abandoned cats will be taken to the Animal Shelter and held in accordance with the Kansas Pet Animal act for a minimum of three days. Upon arrival at the shelter, the animal will be checked for identification by the following methods:

1. Rabies Tag
2. Name Tag
3. Tattoo
4. Microchip

If the animal has any type of identification, Animal Control will make every reasonable effort to notify the owner.

- B. The owner shall be entitled to resume possession of an animal collected by Animal Control upon payment of all required fees.
- C. If no claim is made on an animal after three days by an owner or caretaker, Animal Control may dispose of an animal by adoption or euthanasia.

OWNER SURRENDERED ANIMALS:

- 531.04 Owner surrendered animals are animals that are no longer wanted by the owner for any reason. Owners of unwanted pets will be encouraged to transport their animals to the Kansas Humane Society facility at 3313 N. Hillside. Alternatively, owners may bring an animal to Animal Control or it may be collected by Animal Control upon request of the owner, under certain investigations such as but not limited to animal bites, attacks, cruelties, or neglects.

- A. Requirements of Surrender include:

1. The owner must reside within the city limits of the City of Wichita
2. The owner must be present at the time the animal is collected.
3. The owner must sign release forms transferring ownership of the animal to Animal Control and authorizing euthanasia of the animal.

EUTHANASIA

- 531.05 Euthanasia is the act of inducing a non-traumatic painless death using chemical means. This act shall be performed in accordance with K.S.A. 47-1710

EMERGENCY EUTHANASIA:

- 531.06 The Kansas Pet Animal Act requires all stray animals be held a minimum of three full days and be readily available for inspection by the public. It may, however, become necessary to euthanize animals before the required 3 day hold Per K.S.A. 47-1710, Animal Control is allowed to euthanize animals that are diseased or disabled beyond recovery for any useful purpose.

RABIES/BITE SUSPECT ANIMALS:

- 531.07 Any dog or other animal that has been reported to have bitten or scratched a human being, or other animal, or is suspected of having rabies shall be treated pursuant to K.A.R. 28-1-13 and K.A.R. 28-1-14.

- A. If the animal is required to be quarantined at the animal shelter, the owner will be required to pay all fees and costs related to the quarantine period. The owner will be charged boarding fees for each day the animal stays after the quarantine period is over.